**FARAD CONTINUATION SHEET NO.**

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5320 OF 2005

| Office notes, office Memoranda of appearances, Court's orders or directions & Registrar's orders. | Court's or Judge's Orders |
|---|---|

Mr. D.A. Patil, A.G.P. for the petitioners.

None for the respondents.

**CORAM: SMT. RANJANA DESAI, J.**

**DATED: 23RD AUGUST, 2005.**

**P.C.**:-

Heard Mr. Patil, the learned A.G.P. appearing for the petitioners.

Both the courts have concurrently held that the plaintiffs are in possession of the suit premises by virtue of a lease deed dated 12/7/1999. They appear to be in possession of the suit premises, as per the courts below, for more than 10 years. In view of this concurrent

prima facie findings, the impugned order cannot be interfered with in the writ jurisdiction. Hence, the petition is rejected. However, all contentions of the parties are kept open.

In the circumstances of the case, the suit is expedited. The petitioners shall communicate this order to the respondents and their counsel.

(SMT. RANJANA DESAI, J.)